

CENTRAL INTELLIGENCE AGENCY

OLL: 85-2148



Director, Office of Legislative Liaison

27 August 1985

NOTE FOR: DCI
DDCI
EXDIR

Attached for your information is a status report on legislative items contained in either the HPSCI or SSCI versions of the 1986 Intelligence Authorization Bills. We should have Senate action on the SSCI Bill around mid-September with a conference resolving House-Senate differences to follow.

[Redacted]
Charles A. Briggs

cc: D/ICS
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General Counsel
IC Staff [Redacted]

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1986 Authorization Bill Issues

Executive Schedule Increase for DCI, DDCI

This item was an Administration proposal and is in the SSCI version of the bill but not the HPSCI version. It was referred to the Senate Government Affairs Committee which voted 10 to 3 to kill it, with Senator Durenberger included among those voting against it. The next action will occur in mid-September when the SSCI bill comes up for vote. Unless there is a big effort by the Administration, Durenberger will agree to drop this item from his bill. This item may be beyond redemption even now. OLL is waiting for front office signal before attempting rescue operations.

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Former Spouse Legislation

Gary Chase has informed us that Senator Durenberger may propose an amendment to the Intelligence Authorization Bill to address the inequities created for certain former spouses of CIA employees by the enactment of the Civil Service Spouse Equity Act of 1984 (the "Act"). Mr. Chase has indicated that the easiest way to address this problem is to repeal the limitation contained in the Act that prohibits the President from conforming through Executive Order the benefits available to former spouses under the CIA Retirement System with those available under the Civil Service System. Mr. Chase has requested that we prepare a statement that Senator Durenberger can use in offering the amendment on the Senate floor. We are in the process of preparing such a statement.

Unhealthful Post Benefits

The SSCI bill contains a provision authorizing the DCI to provide an additional retirement credit in lieu of a post differential for service by Agency employees at unhealthful posts. The HPSCI bill contains no similar provision. We have received several calls from HPSCI staff requesting background information on this provision, in which they have indicated that HPSCI is interested in and is now willing to consider accepting this provision in conference.

Applying the Foreign Missions Act to Persons Seconded to the United Nations

The SSCI bill directs the Secretary of State to apply the restrictions contained in the Foreign Missions Act of 1982 to foreign personnel seconded to the U.N. The HPSCI bill does not contain a similar provision. This same provision was recently enacted as part of the State Department Authorization Bill for FY 1986. Therefore, it may drop out of this bill in conference.

Diplomatic Equivalence and Reciprocity

The SSCI bill contains provisions which would limit the number of Soviet diplomatic and consular personnel serving in the United States to the same number of U.S. nationals serving in the Soviet Union unless the President certifies that additional Soviets are in the best interests of the United States. Similar language recently was made law in the State Department Authorization Bill for 1986, so this provision may drop out of this bill. It is not in the HPSCI bill.

Access to State and Local Government Criminal History Records

In the wake of the Walker spy case, the Senate Armed Services Committee, which has on referral the SSCI bill, decided to add to that bill a provision granting CIA, DoD and OPM access to an individual's state and local criminal history records for the purpose of conducting more thorough personnel background and security investigations. We supported this effort as the provision would make easier the conduct of such investigations by the Agency.

Specific Authorization Authority

The HPSCI bill also attempts to put into the National Security Act a number of provisions which act as controls on intelligence activities by prohibiting obligation of funds unless the activity is specifically authorized or the Oversight Committees have received prior notification in the case of reprogramming and Reserve Releases. Some of this language has been part of

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Counterintelligence Vulnerability Report

The HPSCI bill directs the DCI to review and evaluate the vulnerability of confidential United States Government activities abroad to foreign penetrations. This study is to be completed and reported on within four months of the date of enactment. The Executive Director has formulated a technical security program consisting of Agency and Community actions which we would hope to use to get the conferees to adopt somewhat different wording in place of this provision. We are awaiting DCI approval of this approach.

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